UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE PFIZER INC. SECURITIES LITIGATION	No. 04 Civ. 9866 (LTS) (HBP) ECF CASE
THIS DOCUMENT RELATES TO: The Consolidated Securities Class Action	

OMNIBUS DECLARATION OF ANDREW J. EHRLICH, ESQ.

ANDREW J. EHRLICH, ESQ. declares pursuant to 28 U.S.C. § 1746:

1. I am a member of the law firm, Paul, Weiss, Rifkind, Wharton & Garrison LLP, 1285 Avenue of the Americas, New York, New York 10019-6064, counsel for Defendant Pfizer Inc. in this matter. I respectfully submit this Declaration on behalf of all Defendants in this matter in support of Defendants' Motions *In Limine* Nos. 1-10, filed September 30, 2013, solely to put certain documents before the Court.

2. Attached as Exhibit 1 is a true and correct copy of excerpts from the Expert Report of Professor Curt D. Furberg, M.D., Ph.D., dated March 6, 2009.

3. Attached as Exhibit 2 is a true and correct copy of the deposition transcript of Cheryl D. Blume, Ph.D., dated April 12, 2012.

4. Attached as Exhibit 3 is a true and correct copy of excerpts from the Expert Report of Richard A. Kronmal, dated March 13, 2009.

5. Attached as Exhibit 4 is a true and correct copy of the Expert Report of Douglas P. Zipes, MD Regarding Celebrex and Bextra, dated January 13, 2012.

6. Attached as Exhibit 5 is a true and correct copy of excerpts from the deposition transcript of Craig Eagle, M.D., dated April 14, 2011.

7. Attached as Exhibit 6 is a true and correct copy of excerpts from the deposition transcript of Holly Crosbie-Foote, dated August 25, 2011.

8. Attached as Exhibit 7 is a true and correct copy of excerpts from the "Celecoxib Integrated Summary of Safety Information," dated June 5, 1998, which was produced in this action bearing the Bates range Cele NDA 20-998 00348016-411.

9. Attached as Exhibit 8 is a true and correct copy of excerpts from the transcript of the Food and Drug Administration, Center for Drug Evaluation and Research, Arthritis Advisory Committee, Open Public Hearing, dated December 1, 1998.

10. Attached as Exhibit 9 is a true and correct copy of the Expert Report of Lawrence Goldkind, M.D., dated March 2, 2012.

11. Attached as Exhibit 10 is a true and correct copy of excerpts from the "Valdecoxib Integrated Summary of Safety Information," dated December 2000, which was produced in this action bearing the Bates range Bex NDA 21-341 00167624-931.

12. Attached as Exhibit 11 is a true and correct copy of the "Advisory Committee Briefing Document: Celecoxib and Valdecoxib Cardiovascular Safety," prepared in advance of the Arthritis Advisory Committee, Drug Safety and Risk Management Advisory Committee, dated January 12, 2005, which was produced in this action bearing the Bates range Cawkwe-G 10000334726-833.

13. Attached as Exhibit 12 is a true and correct copy of the Expert Report of Cheryl D. Blume, Ph.D., dated January 17, 2012.

14. Attached as Exhibit 13 is a true and correct copy of the Expert Report of Simon M. Helfgott, M.D., dated January 13, 2012.

15. Attached as Exhibit 14 is a true and correct copy of excerpts from the deposition transcript of Peter Corr, Ph.D., dated April 21, 2011.

16. Attached as Exhibit 15 is a true and correct copy of excerpts from the deposition transcript of Peter East, dated July 21, 2011.

17. Attached as Exhibit 16 is a true and correct copy of a letter from Robert Temple, M.D., Director, Office of Drug Evaluation I, Center for Drug Evaluation and Research, Food and Drug Administration, to Anita Piergiovanni, M.Sc., Director, Worldwide Regulatory Affairs, G.D. Searle & Co., dated December 23, 1999, and the attached revised Celebrex label.

18. Attached as Exhibit 17 is a true and correct copy of a letter from Jonca C. Bull, M.D., Deputy Director, Office of Drug Evaluation V, Center for Drug Evaluation and Research, Food and Drug Administration, to Winifred M. Begley, Senior Director, Worldwide Regulatory Affairs, G.D. Searle & Co., dated December 1, 2000, attaching revised Celebrex label, which was produced in this action bearing the Bates range Cristo-S 10000040687-710.

19. Attached as Exhibit 18 is a true and correct copy of a letter from Larry Goldkind, M.D., Deputy Division Director, Division of Anti-Inflammatory, Analgesic & Ophthalmic Drug Products, Office of Drug Evaluation V, Center for Drug Evaluation and Research, Food and Drug Administration, to Winifred M. Begley, Senior Director, Worldwide Regulatory Affairs, G.D. Searle & Co., dated October 18, 2001, and the attached revised Celebrex label.

20. Attached as Exhibit 19 is a true and correct copy of a letter from Lawrence Goldkind, M.D., Deputy Division Director, Division of Anti-Inflammatory, Analgesic &

Ophthalmic Drug Products, Office of Drug Evaluation V, Center for Drug Evaluation and Research, Food and Drug Administration, to Eva Essig, Ph.D., Associate Director, Global Regulatory Affairs, G.D. Searle LLC, dated June 7, 2002, and the attached revised Celebrex label.

21. Attached as Exhibit 20 is a true and correct copy of a letter from Brian E. Harvey, MD, PhD, Acting Director, Division of Anti-Inflammatory, Analgesic and Ophthalmic Drug Products, Center for Drug Evaluation and Research, Office of Drug Evaluation V, Food and Drug Administration, to Graydon A. Elliott, Director, US Regulatory Affairs, Pfizer Inc., dated January 9, 2004, and the attached revised Celebrex label, which was produced in this action bearing the Bates range Cele NDA 20-998 00009717-39.

22. Attached as Exhibit 21 is a true and correct copy of a letter from Lawrence Goldkind, M.D., Deputy Director, Division of Anti-Inflammatory, Analgesic and Ophthalmic Drug Products, Office of Drug Evaluation V, Center for Drug Evaluation and Research, Food and Drug Administration, to Frederick F. Piszkiewicz, Senior Manager, CMC, Pharmacia Corporation, dated August 29, 2002, which was produced in this action bearing the Bates range Crosbi-H 10000413593-95.

23. Attached as Exhibit 22 is a true and correct copy of a letter from Lawrence Goldkind, M.D., Deputy Director, Division of Anti-Inflammatory, Analgesic and Ophthalmic Drug Products, Office of Drug Evaluation V, Center for Drug Evaluation and Research, Food and Drug Administration, to Peter F. East, Associate Director, Regulatory Affairs, Pharmacia Corporation, dated November 1, 2002, which was produced in this action bearing the Bates range Fletch-M 10000046572-74.

24. Attached as Exhibit 23 is a true and correct copy of a letter from Brian E. Harvey, M.D., Ph.D., Acting Director, Division of Anti-Inflammatory, Analgesic, and Ophthalmic Drug Products, Office of Drug Evaluation V, Center for Drug Evaluation and Research, Food and Drug Administration, to Peter F. East, Director, Regulatory Affairs, G.D. Searle LLC, dated April 23, 2004, and the attached revised Bextra label.

25. Attached as Exhibit 24 is a true and correct copy of a letter from Brian E. Harvey, M.D., Ph.D., Acting Director, Division of Anti-Inflammatory, Analgesic, and Ophthalmic Drug Products, Office of Drug Evaluation V, Center for Drug Evaluation and Research, Food and Drug Administration, to Kevin Phelan, Regulatory Affairs, Pfizer Inc., dated November 24, 2004, attaching the revised Bextra label, which was produced in this action bearing the Bates range Litwac-A 10000370946-65.

26. Attached as Exhibit 25 is a true and correct copy of the label for Vioxx® (rofecoxib tablets and oral suspension), dated April 11, 2002.

27. Attached as Exhibit 26 is a true and correct copy of a Memorandum from David J. Graham, MD, MPH, to Paul Seligman, MD, MPH, re "Risk of acute myocardial infarction and sudden cardiac death in patients treated with COX-2 selective and non-selective NSAIDs," dated September 30, 2004, which was produced in this action bearing the Bates range Gandle-M 10000882218-39.

28. Attached as Exhibit 27 is a true and correct copy of an FDA Statement, entitled "FDA Statement on the Halting of a Clinical Trial of the Cox-2 Inhibitor Celebrex," dated December 17, 2004.

29. Attached as Exhibit 28 is a true and correct copy of a letter from Bob A. Rappaport, M.D., Director, Division of Anesthesia, Analgesia and Rheumatology Products,

Office of Drug Evaluation II, Center for Drug Evaluation and Research, Food and Drug Administration, to Robert B. Clark, Vice President, US Regulatory Affairs, Pfizer Global Pharmaceuticals, dated July 29, 2005, and the attached revised Celebrex label.

30. Attached as Exhibit 29 is a true and correct copy of a memorandum from John J. Jenkins, M.D. and Paul J. Seligman, M.D., M.P.H. to the FDA entitled "Analysis and Recommendations for Agency Action Regarding Non-Steroidal Anti-Inflammatory Drugs and Cardiovascular Risk," dated April 6, 2005, which was produced in this action bearing the Bates range Litwac-A 10000378294-312.

31. Attached as Exhibit 30 is a true and correct copy of excerpts from the PHYSICIAN'S DESK REFERENCE (54th Ed. 2000).

32. Attached as Exhibit 31 is a true and correct copy of FDA Form-2253, "Transmittal of Advertisements and Promotional Labeling for Drugs and Biologics for Human Use."

33. Attached as Exhibit 32 is a true and correct copy of a letter from John C. Markow, R.Ph., J.D., Regulatory Review Officer, Division of Drug Marketing, Advertising and Communications, Food and Drug Administration, to Winifred M. Begley, Director, Regulatory Affairs, G.D. Searle & Co., dated December 8, 1998.

34. Attached as Exhibit 33 is a true and correct copy of a letter from Spencer Salis, Pharm.D., Regulatory Review Officer, Division of Drug Marketing, Advertising and Communications, Food and Drug Administration, to Jerome M. Prahl, Associate Director, Regulatory Affairs, G.D. Searle & Co., dated October 6, 1999.

35. Attached as Exhibit 34 is a true and correct copy of a letter from Spencer Salis, Pharm.D., Regulatory Review Officer, Division of Drug Marketing, Advertising and

Communications, Food and Drug Administration, to Jerome M. Prahl, Associate Director, Regulatory Affairs, G.D. Searle & Co., dated April 6, 2000.

36. Attached as Exhibit 35 is a true and correct copy of a letter from Spencer Salis, Pharm.D., Regulatory Review Officer, Division of Drug Marketing, Advertising and Communications, Food and Drug Administration, to Jerome M. Prahl, Associate Director, Regulatory Affairs, G.D. Searle & Co., dated November 14, 2000.

37. Attached as Exhibit 36 is a true and correct copy of a letter from Thomas W. Abrams, R.Ph., MBA, Director, Division of Drug Marketing, Advertising and Communications, Food and Drug Administration, to Fred Hassan, President and CEO, Pharmacia Corporation, dated February 1, 2001.

38. Attached as Exhibit 37 is a true and correct copy of a letter from Robert DeLap, M.D., Ph.D., Director, Office of Drug Evaluation V, Center for Drug Evaluation and Research, Food and Drug Administration, to Winifred Begley, Director, Regulatory Affairs, G.D. Searle & Co., dated December 31, 1998, and the attached Celebrex label.

39. [Reserved]

40. Attached as Exhibit 39 is a true and correct copy of a letter from Joan Hankin, Consumer Promotion Analyst, Division of Drug Marketing, Advertising, and Communications, Food and Drug Administration, to Robert B. Clark, Vice-President, US Regulatory Affairs, Pfizer Inc., dated January 10, 2005.

41. Attached as Exhibit 40 is a true and correct copy of an email from Robert Clark to Teri Natalicchio et al. re "Follw-7p call with Tom Abrams from DDMAC on 1/10 Cox-2 letter," dated January 14, 2005, which was produced in this action bearing the Bates stamp Wohlhu-C 10000288975.

42. Attached as Exhibit 41 is a true and correct copy of a letter from Graydon Elliott, Director, U.S. Regulatory Affairs, Pfizer Inc., to Joan Hankin, Consumer Promotion Analyst, Division of Drug Marketing, Advertising, and Communications, Food and Drug Administration, dated January 25, 2005, which was produced in this action bearing the Bates range PFE Securities HoR 0001571-75.

43. Attached as Exhibit 42 is a true and correct copy of an email between Samuel H. Zwillich and Mona M. Wahba re "Good News on Celebrex," dated May 23, 2000, produced in *Alaska Elec. Pension Fund* v. *Pharmacia Corp.*, No. 03-1519, ECF No. 328-10, (D.N.J.), bearing the Bates range DEFS 00728751-54.

44. Attached as Exhibit 43 is a true and correct copy of excerpts from the deposition of Samuel Zwillich, dated October 12, 2010, taken in *Alaska Elec. Pension Fund* v. *Pharmacia Corp.*, No. 03-1519, ECF No. 337-6 (D.N.J.).

45. Attached as Exhibit 44 is a true and correct copy of an article by William B. White, MD, et al., entitled "Comparison of Thromboembolic Events in Patients Treated With Celecoxib, a Cyclooxygenase-2 Specific Inhibitor, Versus Ibuprofen or Diclofenac," appearing in *The American Journal of Cardiology*, Vol. 89, February 15, 2002, which was produced in this action bearing Bates ranges Cawkwe-G 10002725615-20.

46. Attached as Exhibit 45 is a true and correct copy of the Information filed in *United States of America* v. *Pharmacia & Upjohn Co., Inc.*, No. 09-CR-10258-DPW, ECF No. 1 (D. Mass), on September 2, 2009.

47. Attached as Exhibit 46 is a true and correct copy of the Plea Agreement and the attached exhibits, including the Civil Settlement Agreement entered into between the United States of America, Relators, and Pfizer Inc., filed in *United States of America* v.

Pharmacia & Upjohn Co., Inc., No. 09-CR-10258-DPW, ECF No. 2 (D. Mass.), on September 2, 2009.

48. Attached as Exhibit 47 is a true and correct copy of a Pfizer Inc. News Release, entitled "Pfizer Reaches Agreements in Principle to Resolve Litigation Involving Its NSAID Pain Medications," dated October 16, 2008.

49. Attached as Exhibit 48 is a Stipulated General Judgment filed in *State of Oregon* v. *Pfizer Inc.*, No. 08C23533 (Or. Cir. Ct.), dated October 22, 2008.

50. Attached as Exhibit 49 is the Final Judgment and Order of Dismissal with Prejudice filed in *Alaska Elec. Pension Fund* v. *Pharmacia Corp.*, No. 03-1519 (AET), ECF No. 403 (D.N.J.), dated January 30, 2013.

51. Attached as Exhibit 50 is a true and correct copy of a Pfizer Inc. News Release, entitled "Pfizer Statement on New Information Regarding Cardiovascular Safety of Celebrex," dated December 17, 2004.

52. Attached as Exhibit 51 is a true and correct copy of a letter from Joe Barton, Chairman, and John D. Dingell, Ranking Member, Committee on Energy and Commerce, U.S. House of Representatives, to Hank A. McKinnell, Chairman and Chief Executive Officer, Pfizer Inc., dated December 17, 2004, which was produced in this action bearing the Bates range Gandle-M 10002045200-04.

53. Attached as Exhibit 52 is a true and correct copy of the United States' Sentencing Memorandum (without exhibits) filed in *United States of America* v. *Pharmacia & Upjohn Co., Inc.*, No. 09-CR-10258-DPW, ECF No. 17 (D. Mass.), dated October 9, 2009.

54. Attached as Exhibit 53 is a true and correct copy of excerpts from the deposition of Henry A. McKinnell, dated November 9, 2011.

55. Attached as Exhibit 54 is a true and correct copy of a *Pink Sheet* article, entitled "Pfizer To Re-Do Celebrex GI Outcome Study After Pharmacia Merger," dated July 29, 2002, which was produced in this action bearing the Bates stamp Gandle-M 10000412757-58.

56. Attached as Exhibit 55 is a true and correct copy of a *Wall Street Journal* article, entitled "The Drug Behind the Deal – Pfizer-Pharmacia Deal Means You'll Hear More of Celebrex, But Aspirin May Be Better," dated July 16, 2002.

57. Attached as Exhibit 56 is a true and correct copy of a *Wall Street Journal* article, entitled "Big HMO Reconsiders Vioxx After Study Points to Heart Risks," dated August 26, 2004.

58. Attached as Exhibit 57 is a true and correct copy of a S*t. Louis Post-Dispatch* article, entitled "Pfizer's Celebrex May Get Boost From Merck's Decision to Pull Vioxx," dated October 1, 2004.

59. Attached as Exhibit 58 is a true and correct copy of a *Boston Globe* article, entitled "Maker Takes Vioxx Off Market; Heart Risk Known Earlier, Some Say," dated October 1, 2004.

60. Attached as Exhibit 59 is a true and correct copy of a *Wall Street Journal* article, entitled "Pfizer Says No Cardiac Risk in Drug," dated October 4, 2004.

61. Attached as Exhibit 60 is a true and correct copy of an *Associated Press Online* article, entitled "Report: Other Drugs May Raise Heart Risks," dated October 6, 2004.

62. Attached as Exhibit 61 is a true and correct copy of a *Newsweek* article, entitled "Doctors Don't Agree on Bextra Risk," dated November 12, 2004.

63. Attached as Exhibit 62 is a true and correct copy of an *Associated Press* article, entitled "Pfizer Finds Heart Attack Risk with Celebrex, Plans to Continue to Sell Drug," dated December 17, 2004.

64. Attached as Exhibit 63 is a true and correct copy of the Order Granting Wyeth's Motion to Exclude Expert Testimony Re What a "Reasonable" Pharmaceutical Company Would Do, in *Vance* v. *Wyeth*, No. 06-C-351P (W. Va. Cir. Ct. Logan Co. Aug. 13, 2010).

65. Attached as Exhibit 64 is a true and correct copy of an Order in *Johnson* v. *Wyeth*, No. CV 10-02690-PHX-FJM, ECF No. 115 (D. Ariz. Apr. 11, 2012).

66. Attached as Exhibit 65 is a true and correct copy of an Order in *Cross* v. *Wyeth Pharmaceuticals, Inc.*, No. 8:06-cv-429-T-23AEP, ECF No. 201 (M.D. Fla. Aug. 10, 2011).

67. Attached as Exhibit 66 is a true and correct copy of excerpts from the transcript of proceedings held on November 15, 2010, in *Torkie-Tork* v. *Wyeth*, No. 1:04-cv-945, ECF No. 351 (E.D. Va.).

68. Attached as Ex. 67 is a true and correct copy of an Order in *In re Prempro Products Liability Litigation*, No. 4:04CV02271-WRW, ECF No. 105 (E.D. Ark. June 29, 2010).

69. Attached as Exhibit 68 is a true and correct copy of an Order Granting Defendants' Motion In Limine to Bar the "Reasonable Company" Testimony of Drs. Cheryl Blume, Suzanne Parisian, and Donald Austin, and Dr. Blume's Labeling Opinions, in *Esposito* v. *Wyeth*, No. 05-1606-CI-13 (Fla. Cir. Ct. Pinellas Co. Apr. 14, 2010).

70. Attached as Exhibit 69 is a true and correct copy of excerpts of the deposition transcript of Simon Helfgott, M.D., dated April 18, 2012.

71. Attached as Exhibit 70 is a true and correct copy of a letter from Jonca Bull, M.D., Acting Director, Office of Drug Evaluation V, Center for Drug Evaluation and Research, Food and Drug Administration, to Peter L. East, Associate Director, Regulatory Affairs, G.D. Searle & Co., dated November 16, 2001, and the attached Bextra label, which was produced in this action bearing the Bates range Bex NDA 21-341 00025109-127.

72. Attached as Exhibit 71 is a true and correct copy of excerpts from the PHYSICIAN'S DESK REFERENCE (66th Ed. 2012).

73. Attached as Exhibit 72 is a true and correct copy of the narrative portion of the Expert Report of Daniel R. Fischel, with exhibits 36, 37 and 38, dated January 13, 2012.

74. Attached as Exhibit 73 is a true and correct copy of the deposition transcript of Daniel Fischel, dated June 28, 2013.

75. Attached as Exhibit 74 is a true and correct copy of excerpts from the deposition transcript of Daniel R. Fischel, dated May 3, 2012.

76. Attached as Exhibit 75 is a true and correct copy of the Supplemental Expert Report of Paul A. Gompers, dated July 8, 2013.

77. Attached as Exhibit 76 is a true and correct copy of the Supplemental Expert Report of Daniel R. Fischel, dated May 10, 2013.

78. Attached as Exhibit 77 is a true and correct copy of the Reply Report of Daniel R. Fischel, dated July 25, 2013.

79. Attached as Exhibit 78 is a true and correct copy of excerpts from the trial transcript in *Jaffe* v. *Household International, Inc.*, No. 02-cv-5893 (N.D. Ill.), dated April 16, 20, and 29, 2009.

80. Attached as Exhibit 79 is a true and correct copy of an article by Esther Bruegger and Frederick C. Dunbar entitled "Estimating Financial Fraud Damages with Response Coefficients," appearing in *The Journal of Corporation Law*, Volume 35, No. 1 (Fall 2009).

81. Attached as Exhibit 80 is a true and correct copy of the Expert Report of Scott D. Hakala, Ph.D, CFA, filed in *In re Credit Suisse-AOL Securities Litigation*, No. 1:02-cv-12146-NMG, ECF No. 219 (D. Mass.), dated March 4, 2008.

82. Attached as Exhibit 81 is a true and correct copy of excerpts from the deposition transcript of Paul A. Gompers, dated August 7, 2013.

83. Attached as Exhibit 82 is a true and correct copy of an article by Harrison Hong and Jeremy C. Stein, entitled "A Unified Theory of Underreaction, Momentum Trading, and Overreaction in Asset Markets," appearing in *The Journal of Finance*, Volume 54, No. 6 (December 1999).

84. Attached as Exhibit 83 is a true and correct copy of a *National Post of Canada* article, entitled "Alternative to Vioxx is Connected to 14 Deaths: Company Argues Health Canada is Not Definitive," dated November 4, 2004.

85. Attached as Exhibit 84 is a true and correct copy of a *Reuters* article, entitled "HD Canada Says No Proof Pfizer Celebrex Causing Deaths," dated November 4, 2004.

86. Attached as Exhibit 85 is a true and correct copy of a *Dow Jones News Service* article, entitled "Pfizer Inc. 3Q EPS 22c Vs 44c," dated October 20, 2005.

87. Attached as Exhibit 86 is a true and correct copy of a *New York Times* article, entitled "Pfizer Profit Falls 5%; Outlook Uncertain," dated October 21, 2005.

88. Attached as Exhibit 87 is a true and correct copy of a letter from Samuel Gershon, M.D., Chairman of University of Pittsburgh Medical Center – Western Psychiatric

Institute and Clinic, to Stephen M. Sainati, M.D., Ph.D, Director, Clinical Research at Searle, dated August 16, 1999, and enclosed Data and Safety Monitoring Committee "Interim Analysis for Double-Blind, Randomized, Placebo-Controlled Study of Celecoxib (SC-58635) for the Inhibition of Progression of Alzheimer's Disease (Protocol Number 1Q5-97-12-001)," dated August 11, 1999, which was produced in this action bearing the Bates range DRLS00002169-209.

89. Attached as Exhibit 88 is a true and correct copy of an email from Michelle Knauff to Daniel Chirby et al. re "[SIGNED] ROC >> Celecoxib / Celecoxib / IND 53,125," dated October 28, 2004, and the attached Health Authority Contact report dated October 25, 2004, which was produced in this action bearing the Bates range Cawkwe-G 10002381841-49.

90. Attached as Exhibit 89 is a true and correct copy of an email from Liviu Niculescu to Mitchell Gandelman et al. re "BXT-0726152_SUCCESS trail – 'Making Pfizer Clinical Trial Data Available,'" dated November 18, 2004, which was produced in this action bearing the Bates range Silber-S 10000179199-201.

91. Attached as Exhibit 90 is a true and correct copy of an email from Gail Cawkwell to Joe Feczko forwarding an email chain re "Alzheirmer's [sic] trial with Celebrex," dated December 29, 2004, attaching a letter from Lon S. Schneider, M.D. and Samuel Gershon, M.D., Chairman of Searle Data and Safety Monitoring Committee to Gail D. Cawkwell, MD, Ph.D., FAAP, FACR, Medical Director, Pain and Inflammation and Celebrex Worldwide Medical Team Leader and Full Development Team Leader for Pfizer, Inc., dated December 24, 2004, which was produced in this action bearing the Bates range Cawkwe-G 10003250381-85.

92. Attached as Exhibit 91 is a true and correct copy of a letter from Dianne Merrill, B.A., Clinical Research Administrator at Searle to Lon S. Schneider, M.D., Professor of Psychiatry, Neurology, and Gerontology at the University of Southern California School of Medicine, dated December 3, 1997, enclosing Dr. Schneider's Consulting Agreement with Searle dated June 24, 1997, which was produced in this action bearing the Bates range DRLS00004166-82.

93. Attached as Exhibit 92 is a true and correct copy of a European Agency for the Evaluation of Medicinal Products "Opinion of the Committee for Proprietary Medicinal Products," dated November 20, 2003, which was produced in this action bearing the Bates range Cawkwe-G 10000057776-807.

94. Attached as Exhibit 93 is a true and correct copy of an email from Sharmila Parsotam to Dave Gilbert et al. re "CBX-0380684_RE: Cox-2 referral – parecoxib, valdecoxib and celecoxib individual assessment reports," dated February 17, 2003, and the attached facsimile from Anne-Sophie Henry-Eude to Sharmila Parsotam re "Referral under Article 31 of Council Directive 2001/83/EC, as amended, for medicinal products containing celecoxib, etoricoxib, parecoxib, rofecoxib and valdecoxib (EMEA/H/A-31/503), dated February 12, 2003, which was produced in this action bearing the Bates range Verbur-K 10000709479-647.

95. Attached as Exhibit 94 is a true and correct copy of a facsimile from Lorraine Baer to Gail Cawkwell, dated October 23, 2003, of a letter from Elizabeth Phimister Ph.D., Deputy Editor of the New England Journal of Medicine (NEJM) to George Triadafilopoulos of the Palo Alto VA Health Care System, dated September 4, 2003, enclosing

comments from the NEJM, which was produced in this action bearing the Bates range Cawkwe-G 10000338418-23.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on September 30, 2013.

Andrew J. Ehrlich, Esq.